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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,167	03/05/2002	Michael Maier	031211-071	S467
7590	11/18/2005		EXAMINER	
Patrick C. Keane BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			QIN, YIXING	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/090,167

Applicant(s)

MAIER ET AL.

Examiner

Yixing Qin

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/5/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Washio et al (U.S. Patent No. 6,301,022 – “Washio”).

1. **Claims 1 and 14**

- Washio discloses in column 3, lines 60-65 the detection of an inclination angle (i.e. **position**). Washio discloses in column 6, lines 1-7 discloses a method used to correct inclination angle (i.e. **correction based on measured data**). Washio discloses in column 7, lines 48-59 the need for detecting document size before performing inclination correction. Column 8, lines 18-30 describe how the size can be measured.

2. **Claims 2, 13 and 17**

- Washio discloses in column 6, lines 57-67 and column 7, lines 1-13 magnification processing based upon the inclination angle error. Column 6, lines 66-67 and column 7, lines 1-6, especially, focus on moving the light source and mirrors (i.e. adjusting image optics).

3. **Claims 3 and 14**

- Similarly related to claim 2 above. Washio discloses the magnification of the width in column 6, line 56 by a factor determined by the inclination angle. Column 8, lines 53-61 discloses the use of magnification to change the size of the read image to a size of the outputted sheet of paper.

4. **Claims 4**

- Washio discloses in column 6, lines 13-21 that the data in the image memory (i.e. **digital data of the original image**) is corrected by data shift according to the

Art Unit: 2622

measured data. Washio discloses in column 12, lines 8-9 that a printer is used to print the corrected data.

**5. Claim 5**

- Washio discloses in column 4, lines 5-58 of how various sensors are used in the detection of an inclination angle of a document. Lines 22-28, especially disclose that a positioning of sensors as show in Fig. 1b simplifies the detection process (i.e. **picture carrier is read relative to the nominal positioning of the sensors**). Again, from claim 4 above, the stored image data is shifted according to the measured data from the sensors.

**6. Claim 6**

- Washio discloses in column 8, lines 18-26 the detection of a width of the document D. Although not explicitly stated, one would understand that this information is reflected in the stored image data.

**7. Claims 7 and 18**

- This related to claim 5 above. Washio discloses in column 4, lines 37-64 the measurement of the angle due to speed and time. One would understand that this essentially can tell one the transverse and longitudinal error because the angle is a result of the change in the transverse direction over the longitudinal over a period of time.

**8. Claims 8, 19 and 20**

- Washio also discloses in column 8, lines 18-26 the detection of a length of the document D. One would understand that this information is reflected in the stored image data. Also, column 6, lines 56 and 57 discloses how the width and length of the scanned document are to be magnified to fit the outputted sheet of paper in accordance with an inclination angle.

**9. Claims 9 and 21**

- As mentioned in claims 1 and 4, an data shift correction is performed based upon an inclination angle of the read document.

**10. Claim 10**

- One can see in Figs 1a and 1b of Washio and column 4, lines 5-10 various detectors positioned in the scanner. Column 3, lines 28-32 discloses that item 21 is an photoelectric element.

**11. Claim 11**

- Washio discloses in column 6, lines 13-17 the shifting of data for each pixel stored in an image memory
- One can see in Fig. 1a and 1b a recording platform for the document D. Item 15 of Fig. 1 is a belt for transport of the document.

Art Unit: 2622

- Washio discloses in column 12, lines 8-9 that a printer is used to print the corrected data. Digital printers are well-known.
- One can see in Figs 1a and 1b of Washio and column 4, lines 5-10 various detectors positioned in the scanner. Column 3, lines 28-32 discloses that item 21 is an photoelectric element.
- Washio discloses in column 3, lines 60-65 the detection of an inclination angle by an inclination angle detection means. Washio discloses in column 6, lines 1-7 discloses a method used to correct inclination angle (i.e. **correction based on measured data**). Washio discloses in column 7, lines 48-59 the need for detecting document size before performing inclination correction. Column 8, lines 18-30 describe how the size can be measured by a size detection means. Although Washio focuses more on a method and does not go into great detail about processors, it would be inherent for some processing logic, such as a processor or processors, to perform the corrections in the Washio reference.

**12. Claim 15**

- Washio discloses in column 3, lines 39-43 the various components of the scanner. It is well known that the scanning mechanism extends across the page.

**13. Claim 16**

- Washio discloses in column 3, lines 12-15 the use of a light source. Lines 28-32 discloses that the image reading means 21 of the scanner is a photoelectric conversion element for converting the light emitted.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Atsumi (U.S. Patent No. 5,854,964) Pasco et al. (U.S. Patent No. 6,064,778), Yoshida et al (U.S. Patent No. 6,718,071).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381.

The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQ

JOSEPH R. POKRZYWA  
PRIMARY EXAMINER  
ART UNIT 2622

A handwritten signature in black ink, appearing to read "Joseph R. Pokrzywa", written in a cursive style.